

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in view of the following discussion, is respectfully requested.

Claims 1-15 are pending. The present amendment amends Claims 1 and 14. Support for the amendment is found, for example, on page 6 of the specification at lines 1-5 and 29-32.

In the outstanding Office Action, Claims 1 and 2 were rejected under 35 U.S.C. § 102(b) as being anticipated by Schober; Claims 3 and 4 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Schober in view of Isohataoa; Claim 5 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Schober in view of “an examiner’s official notice”; Claim 6 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Schober in view of Tamura; Claims 7 and 8 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Schober in view of Vannatta; Claim 9 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Schober in view of Vannatta and further in view “an examiner’s official notice”; and Claim 10 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Schober in view of Gumussoy. Applicant acknowledges with appreciation that the Examiner has indicated that the outstanding Office Action is non-final.

Independent Claim 1 is presently amended in a manner suggested by the Examiner on page 2 of the Office Action in order to overcome the rejections on page 2-8 of the Office Action. Specifically, Claim 1 is amended to define first and second shield members configured to shield said first and second electronic circuit portions from external noise, respectively, and to prevent noise generated in respective of said first and second electronic circuit portions from leaking outward. Since this amendment is consistent with the Examiner’s recommendation on the bottom of page 2 for overcoming the rejection, Applicant respectfully submits that independent Claim 1 and all claims dependent therefrom are neither

anticipated by, nor obvious over, the references applied against the claims on pages 2-8 of the outstanding Office Action.

Turning now to the second group of rejections found on pages 9-17 of the outstanding Office Action, Claims 1-3 and 11-15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Daniels in view of Pirilä; Claim 4 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Daniels in view of Pirilä and further in view of Isohataoa; and Claim 5 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Daniels in view of Pirilä and further in view of “an examiner’s official notice”; Claim 6 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Daniels in view of Pirilä and further in view of Tamura; Claims 7 and 8 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Daniels in view of Pirilä and further in view of Vannatta; Claim 9 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Daniels in view of Pirilä in view of Vannatta and further in view of “an examiner’s official notice;” and Claim 10 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Daniels in view of Pirilä and further in view of Gummusoy.

Applicant respectfully traverses these rejections on the grounds that independent Claim 1, as amended, is neither anticipated by, nor obvious over the applied references. With respect to independent Claim 1, that claim now defines, among other things, a transmitting circuit including an output terminal, where at least one of the first and second shield members additionally serves as an antenna for the portable telephone and connects to the output terminal of the transmitting circuit. The outstanding Office Action acknowledges that “Daniels does not disclose that at least one of the first and second shield members is additionally serving as an antenna for said portable telephone.” (Page 9). The outstanding Office Action relies on the Pirilä reference as disclosing this feature.

The Pirilä reference discloses a portable radio device with a conductive shield and an essentially planer antenna radiator. (Col. 2, lines 12-16). A portion of the conductive shield

“function[s] as a ground plane for the antenna radiator.” (Col. 2, lines 16-20). Accordingly, it can be appreciated that the antenna radiator and the conductive shield of Pirilä are separate components of the portable radio device and that the shield is the ground plane. Thus, the Pirilä reference fails to teach or suggest that at least one of the first and second shield members connects to the output terminal of the transmitting circuit of the portable telephone, as recited in Claim 1.

Accordingly, Daniels and Pirilä, when considered alone or in any proper combination, fail to anticipate or make obvious the invention of Claim 1. Further, none of the other references applied in the outstanding Office Action accounts for this deficiency of Daniels and Pirilä. Therefore, Applicant submits that independent Claim 1 and dependent Claims 2-15 patentably distinguish over the applied references.

Further, with respect to the rejections of claims 5 and 9, Applicant traverses those rejections on the grounds that the outstanding Office Action does not establish a *prima facie* case of obviousness with respect to the claimed subject matter for which official notice has been taken. Specifically, nothing in the prior art suggests that it would be obvious to modify Shober or the combination of Schober and Vannatta to include an antenna matching circuit, in the manner defined by claims 5 and 9. Applicant requests that the examiner either provide evidence to support a *prima facie* case of obviousness or withdraw those rejections.

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In view of the foregoing discussion, no further issues are believed to be outstanding in the present application. Therefore, Applicants respectfully request that this application be allowed and be passed to issue.

Respectfully submitted,

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